

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE JURISDICTION

CIVIL APPEALS No. 9839-9840 OF 2011

UNION OF INDIA AND ANR.
Appellant(s)

...

Versus

J S BAJWA
Respondent(s)

...

With Civil Appeals Nos. 9841-9842 of 2011

O R D E R

These appeals are directed against an Order dated 08.03.2011 passed by the Armed Forces Tribunal, Principal Bench, New Delhi whereby O.A. No. 525 of 2010 filed by the respondents has been allowed with a direction to the appellant herein to consider the respondents for relaxation of Rules as in the case of Lt. General Chhetinder Singh, Lt. General N.K.Singh and Lt General S.A. Husain. M/s. Maninder Singh and S.W.A.Qadri appearing for the appellants submit that no relaxation was ever granted in favour of the three officers mentioned above. Mr. Pandey, learned counsel

Signature Not Verified however disputes that position but submits that since Digitally signed by Mahabir Singh
Date: 2016.02.24
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Reason: both the respondents have now retired, the direction issued by the Tribunal for grant of relaxation in their favour to facilitate their posting as a Corps Commander

has been rendered infructuous. He submits that although the respondents have filed a contempt petition for

non-implementation of the order passed by the Tribunal,
the said contempt petition also would serve no purpose
and will be withdrawn as infructuous.

M/s. Maninder Singh and Qadri submit that in case
the contempt petition filed by the respondents is
dismissed or the respondents undertake to withdraw the
same, the present appeals can be disposed of leaving the
questions of law open.

In the circumstances, therefore, we dispose of
these appeals as infructuous in light of the subsequent
developments. The contempt petition pending before the
Tribunal shall also stand disposed off in light of the
statement made on behalf of learned counsel for the
respondent. The questions of law raised in these
appeals are however left open. No costs.

.....CJI.
(T.S.THAKUR)

.....J.
(UDAY UMESH LALIT)

New Delhi,
Dated: 18th February, 2016.

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ITEM NO.102	COURT NO.1	SECTION XVII
S U P R E M E C O U R T O F		I N D I A
RECORD OF PROCEEDINGS		
Civil Appeal No(s).	9839-9840/2011	
UNION OF INDIA & ANR		Appellant(s)
VERSUS		
J S BAJWA (with appln. (s) for stay and office report)		Respondent(s)
WITH		
C.A. No. 9841-9842/2011 (With Office Report)		

Date : 18/02/2016 These appeals were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE
HON'BLE MR. JUSTICE UDAY UMESH LALIT

For Appellant(s) Mr. Maninder Singh, ASG,
 Mr. S.Wasim A/Qadri, Adv.
 Mr. Abhinav Mukherjee, Adv.
 Mr. Amrjeet Singh, Adv.
 Mr.Zaid Ali, Adv.
 Mrs. Anil Katiyar,Adv.

For Respondent(s) Mr. S.S.Pandey, Adv.
 Mr. Arjun Singh, Adv.
 Mr. Sridhar Potaraju,Adv.
 Mr. Gaichangpou Gangmei, Adv.

UPON hearing the counsel the Court made the following
O R D E R

The appeals are disposed off as infructuous in terms of
the signed order.

(Shashi Sareen)
AR-cum-PS
(Signed order is placed on the file)

(Veena Khera)
Court Master